

Butte-Silver Bow Local Government Study Commission

Minutes of the Meeting

June 16, 2005

Butte-Silver Bow Courthouse, Third Floor Conference Room

Meeting Date: June 16, 2005

Time: 6:30 p.m.

Place: Butte-Silver Bow County Courthouse, Third Floor Conference Room

Call to Order: Chairman Bob Worley thanked the audience for attending and called roll with the following results:

Members Present: Tony Bonney, Ristene Hall, Wayne Harper, Dave Palmer, Meg Sharp, Cindi Shaw, Northey Tretheway, Bob Worley, Shag Miller and Ron Rowling

Bob Worley informed the audience that it was a public hearing that was being held.

Approval of Minutes: Bob Worley entertained a motion for approval of June 2, 2005 minutes. Shag Miller motioned to approve the minutes from June 2, 2005 and Cindi Shaw seconded and it was unanimously carried.

Comments from Ron Rowling: Had nothing to report. Thanked the audience for attending the meeting. Asked the Study Commission to take into consideration comments from the audience to see if changes need to be made to BSB government.

Bob Worley announced the start of the public hearing. He informed the audience that no decisions have been formed and they are still in the phase of gathering information. Bob introduced Northey Tretheway.

Northey went over topics presented in the Power Point presentation. Topics discussed:
Reason for the Study Commission

Article XI, Section 9 of Montana Constitution-Purpose: to study the existing form and powers of a local government and procedures for delivery of local government services and compare them with other forms available under the laws of the state.

The choice of voters to review their local government is granted every 10 years.

Study Commission Scope-Study Commissions may:

- Recommend amendments to the existing government

- Recommend any plan of government

- Draft a charter

- Recommend municipal/county consolidations

- Recommend mergers within a county

- Submit no recommendations

- Recommend service consolidation

- Recommend dis-incorporation

Study Commission Timetable

- Establish a timetable within 90 days
- Conduct one or more public meetings
- Formulate a tentative report
- Conduct one or more public meetings on the report
- Adopt recommendations, write a final report, and set a date for an election on the recommendations.

Comparing Governments-All governments fall under one or more of three forms:

- Legislative (law making)-City or town council; City or County commission; Town meeting.
- Executive (enforcement/policy)-Elected executive (mayor) in the commission-executive form; manager in the commissioner-manager form; Chairman in the commission-Chairman form; Town Chairman in the town meeting form; and Commission in the commission form.
- Judicial (District, County Justice, Municipal & City Courts are all supervised by the Supreme Court)- Not subject to Study Commission consideration.

Forms of Government-Montana Constitution requires the legislature to enumerate the local forms of government, from which a local selection may be chosen:

- Commission-executive
- Commission-manager
- Commission-chairman
- Town meeting
- Charter

Silver Bow County Form of Government-Charter

- Charter form provisions must establish local government's legislative, executive and administrative structures and organization
- Adoption by voters causes the charter's provisions to supercede statutory provisions.
- Automatically confers self-governing powers (within reason). This is different from self-governing counties without a charter.

Study Commission Board Members 2005

- Ristene Hall, Wayner Harper, Dave Palmer, Meg Sharp, Cindi Shaw, Shag Miller, Tony Bonney, Bob Worley, Northey Tretheway

County Officials Interviewed

- Superintendent for Schools of Butte-Silver Bow-Ed Heard
- Works with Melrose, Divide and Ramsey
- \$95,000 per year budget

County Auditor-Danette Harrington
Payables, Internal Audits, Reconciliation's, Courts

Clerk and Recorder-Mary McMahon
Elections, Land Records
Believes that the number of Commissioners should be 8

Former Chief Executive-Judy Jacobson
Suggested reviewing Mayor/City Mgr. Form
Elected Sheriff vs. Director/Fire Services
of Commissioners from 12 to 8
Coordination of public complaints
BSB Chief Executive has more power than any mayor in the state
Personnel Issues
Split Parks and Recreation from Public Works

County Commissioners
M. Kerns, J. Lee, J., L.L. Dunlap, B. Walker, W. Frasz, C. O'Leary, D. Coleman, M.
Sheehy, J. Sorich, T. Bury

Feel the # of Commissioner (12) is good
\$1.11/household
3000 residents/district
Make \$4,000/year
•City/Manager cost twice more than Chief Executive
•Sheriff's office is top heavy (Top 5 have combined \$300,000
Salary), and cost is putting less officers on the street
•Consolidation of some fire efforts
•Wage problems within government
•Stray Dogs and Cats
•Revitalization of Butte (Clean up)

Lori Maloney
Hub of Judicial System
Passes cases to District Judges
State is pushing to consolidate under the State
State pays judges salaries and BSB pays clerks salaries
Each judge handles 2,500 cases per year
Elected Officials are the lowest paid Department Heads in County

County Assessor-Dan Fisher
Maintains master file for assessments and taxes
Salary paid 50% by State and 50% by BSB
Only 3 County's have assessors (Granite, Powell, and BSB)

12 Department of Revenue employees in Butte

Public Administrator-Greg O'Leary
Does not fall under County Budget

Butte Archives-Ellen Crane
Issues and costs with the existing site

BSB Coroner-Lee LeBreche
Against combining Coroner with Law Enforcement
Would like to have an Administrative Assistant

Law Enforcement-John Walsh
Undermanned in terms of officers per capita
Looking at various ways to get money for law officers

Director of Fire Services-Jeff Miller
Consolidation of four VFD and positive affects on ISO
Successful with DHS grants

Parking Director-Bob Sullivan
Run under Parking Commission
\$50,000 reserve

Personnel Director-Tim Clark
Training is now focus
Name change from Personnel to HR

Director of Health Department-Dan Dennehy
Antonymous Board
\$3.1 million budget but only 13% comes from general fund
Holistic approach to health services

Chief Executive-Paul Babb
Focused on BSB's budget and personnel
Prioritizing items on the budget for efficiency
Involving employees with decision-making and accountability
Setting a vision for Butte and working on Economic Development

Disaster and Emergency Services Coordinator-Wilma Puich
Budget \$109,000
BSB is the supervising entity; 50% of budget from FEMA
Suggest # of Commissioners should equal 5
Too little interface with Commissioners because of schedules

Water Division Engineer-Jean Pentecost

Water Division relies on outside funding for improvements
(NRD, Settlements, grants)
1.1 Million ft. of lines replacing-2.5% per year
Estimate 35% of water is lost through leakage
Highest water rates in the State of Montana

Community Decay-Jed Hoopes

Responsible for acting on property clean up issues in BSB
BSB clean up is daunting because of income levels,
Structures, and litter
Zoning is a big factor
BSB needs manpower to enforce cleanup
Historic designation impedes safety and cleanup
Potential liabilities exist for BSB from safety perspective

County Officials Interviewed

Animal Control-Dave Hinch; Grant Hackman
Handle domestic, livestock, and wildlife issues/complaints
Within the Public Works Dept. and in most other
Communities it resides within law enforcement
Dog and cat problems in Butte (Violators ignore misdemeanor charges and fines)

Ed Peretti

Other communities spend 2-3 times more on animal control
Up to 90% are unlicensed (This helps to pay for animal control)
Animal hospital does not get rich from BSB
City or County part designated for dogs
Need to re-establish an Animal Control Board

Bert Mooney Airport- Rick Griffith

Operates as an airport authority
Revenue comes from airlines, federal, and 2 mill local

State Department of Revenue-Lori Casey

BSB's County Assessor (1 of only 3 in the state) is paid 50% by
the State of Montana
This is a position outlined in the BSB charter

Director of Land Records-Rob Macioroski

Land Records established as result of 1994 Study Commission
Established under the Clerk and Recorder
Possibly improve efficiency by creating a Lands Record Dept. that is adequately staffed
and modernized

Planning Department-John Sesso

Responsible for growth policy
10 year master plan; zoning policies; sub-divisions; flood plain; urban forestry program;
variance permits; building codes and permits; demolition permits; GIS division; Superfund
Reclamation joint work

Community Development-Bill Penn

Butte needs a comprehensive marketing plan to identify a target market
The technology used within BSB Government is behind the times

URA Director-Karen Byrnes

Two parts: Community Development and URA

Chief Development Officer for Montana

Evan Barrett

Economic development must be addressed

Ability for government to complete for community growth by forming a public/non-profit
private partnership

Better delineation between the legislative and executive branches of BSB

Continuation

Complete Official Interviews and Interview past member of Study Commission

Visit with other County's

Public Survey

Public Meeting

Write report

Bob W. interviewed around 50 elected officials.

Comments from the Audience: Mark Wood introduced himself and place of residence. He stated a couple of months ago his wife dropped him off at work. His wife returned home with the baby and a pair of aggressive dogs were in their yard and they would not let her get out of her car to get inside the house. She called the police. She stated that the police would not come to deal with dogs. She drove to her parents place and spent the night due to the denial of service. Northey Tretheway asked if he called anybody else? Mark replied that it is hard to get a hold of people at 11pm. Bob Worley thanked Mark for his comments and stated that his issue does not come under the Study Commission Agenda. Ristene Hall asked if he had any suggestions for BSB in regard to the dog problem. Mark Wood replied that when there is an actual incident of dogs intimidating people from their own property, there needs to be a response from emergency services. Mark continued to state that having dogs wandering, while that is a problem, it is not the same sort of problem as dogs threatening people, particularly at their own home. Ristene Hall asked if he knew the owners. Mark replied no. Cindi Shaw mentioned that they did talk about dog problem. Cindi stated that they talked to Dave Hinch and Grant Hackman and they admitted that they did not have enough time and felt they needed to add another

person to the dog warden force. Cindi mentioned that one thing brought up was possibly making animal control a separate entity with an elected warden or dogcatcher so that there is more control on who is doing the work. Cindi stated that she could relate to his situation and that this is something to think of as community. Bob Worley asked Mark Wood if he attempted to contact the Sheriff's Department the following day. Mark Wood replied that he did not and that he had been working all night and did not hear about it until he woke up in the afternoon the next day. Bob Worley replied that it was an unfortunate circumstance and that they do acknowledge the dog problem in BSB and understands.

James Wood asked if it has been considered to take things more seriously and increase the fines that are associated with strays in town? James Wood commented that BSB should get people where it would hurt the most, financially. Ristene Hall commented that being a former council member there were lots of dog issues and what happens is that people will file a complaint and the complaint is given to the owner. The owner does not do anything and the owner is fined. The owner still does not do anything and is then given a court case, and he/she does not show for their court case. The next move is to throw them in jail and the process stops there. Ristene commented that BSB needs input from community to find a way that works because fining them does not. They do not pay. Mark Wood replied what about property liens? Ristene Hall replied that if it got to that point the owner would not claim the animal. Northey Tretheyway commented that the county is limited. Bob McCarthy stated that the animal control efforts are principally the same in this community as they are in other communities around the state. Bob McCarthy mentioned that there are several things that can be done and the failure to have animals controlled can be punished by criminal penalties. Penalties that are set out in the Criminal Law but there are limitations as to what can be done under Criminal Law and the Study Commission members don't have any authority to establish crimes. It is not something that can be done at that level. The state determines whether you can classify something as a misdemeanor then the state legislature determines what the penalties are for misdemeanors. Bob McCarthy continued by stating that he was not trying to minimize Mark Wood's complaint but for the most part what BSB has is a problem with enforcement and what Mark Wood is talking about is that there are two issues. The first is Animal control that these animals were at large and on his property. The second is that he called law enforcement and they didn't respond to provide assistance. Bob stated that maybe his wife may not have made herself clear and that what she was talking about was not a dog problem but what she was talking about was a public safety problem. She could not get into the house. Bob McCarthy stated that he could not understand why the police did not respond because it was more than a dog problem.

Tiffany Wood introduced herself and stated her place of residence. She stated that she did call several times in regard to the dogs being at large. They just have not been able to get caught and that animal control has not been out looking for these animals. Bob Worley asked if she knew the owners. Tiffany replied that she did not but knows where the animals hang out and has brought to this to the attention of animal control. Bob

Worley commented that the Study Commission has been looking into the dog problem and it seems to be one of the main problems in our community. Bob Worley asked Tiffany Woods if she had any suggestions on how to correct this problem. Tiffany replied that maybe Animal Control could hire a specific person to handle these situations at night. Tiffany Woods stated that would be a little better than people would have somebody to report to and he/she could contact law enforcement. Tiffany commented that she would rather have them arresting criminals than dogs. Bob Worley thanked her.

Norma Wood introduced herself and stated her place of residence. She is the wife of James Wood. Norma Wood stated that she had a suggestion. Norma stated that anybody who knows her knows that she really loves animals but when you have stray dogs that get loose and threat other people, those dogs need to be put down. Norma stated that if the owners cannot control them and they are threatening people, they need to be put down because you cannot have dogs running wild and threatening children. Norma stated that she hates to talk about putting any animal down but the line needs to be drawn somewhere. Norma Wood stated that this issue was really a law enforcement issue. Norma Wood stated that there has been other issues where law enforcement has refused to take a report or respond and so there is an issue. Law enforcement, short handed but if someone calls, they have a duty to take a report. Norma Wood stated that she understands they are shorthanded but if someone calls and wants to file a report, they have an obligation and duty to take that report. Norma continued to state that what they do with it after that is up to their boss but they have an obligation and duty to file a report and this, she believes, is the bigger issue. If they need to hire more deputies or more police officers, that is what we need to do. Shag Miller responded that he was in the radio business and Bill Thomas who ran party line would talk about one of two things. One was the Montana Power Company bill and the other was about dogs. Calls would come in and in his opinion BSB should do several things, set up a shelter, automatic neuter and spade, substantially increase the licenses, increase the number of dog catchers, and thereby get some control of the situation. Shag mentioned this may not be the most important issue but it is the most discussed issue. Norma Wood replied that she really does not see this issue as a stray dog issue but lack of law enforcement and them not doing their job. Norma Wood stated that she knows there are a lot of other things out there but...she is not a Butte native and she has been in towns significantly smaller than Butte and significantly larger and knows that the police cannot, should not, just pick and choose which reports they are going to file, which calls they are going to respond to with the understanding that if there is an emergency going on then they have to address that first but a small incident can turn into a large one if proper intervention is not taken and this is one of several incidents that she is aware of both by personal and family experiences and hearsay. For example, the Police Department says, "oh give them a break". "They are drunk". "Lets not file a report". Norma Wood continued that they are not going to come out because it is late. Norma Wood stated that these are not choices. The law enforcement needs to respond and file a report. That is their job, their duty, they're obligation. Norma Wood continued to state if that is the least they do, she understands that there is a shortage of police officers, than they need to increase the

police force; police on the streets. Tony Bonney asked if she reported this to the animal warden and asked if they did any follow up? Tiffany Wood responded and replied no. Tony Bonney confirmed that there was never any response and Tiffany Wood replied no.

Gabriel Loffet mentioned that an issue was "breached" of which he was thinking as he was hearing about the previous report and wondered how much serious thought has been put into it. Gabriel Loffet stated that on party line it was mentioned several times, the idea of a building shelter. Gabriel Loffet stated that he is well aware of the financial situation in BSB and that it had to recently close the shelter and with all due respect it was said earlier, he believes Mrs. Hall stated that the difficulty BSB is facing is that people are not being responsible for paying their fines and if fines don't work the next step is incarceration. Gabriel Loffet asked whether BSB has considered incarnating the animals. Gabriel Loffet stated that he does realize the ramifications here, especially as it pertains to the cost of maintaining a shelter and that he does sympathize with Mrs. Wood's feelings, that if animals are out of control and if in fact this means war, we do need to take action to put animals down. Gabriel Loffet continued to state short of that he was wondering if it would be a happy medium. Gabriel stated that it would certainly be expensive to maintain a shelter, certainly in a case like this where large Rotweiller's are threatening citizens, to apprehend and incarcerate an animal until such time their owner came for it would imply some expense but would like to point out that this would imply far less expense than attempting to actually incarcerate the "human owners" of this animal as dogs have fewer needs than a "human person" would. Gabriel's question was if it was actually looked into as a way to catch these animals and hold them in an official capacity. Bob Worley replied that BSB does have an Animal Control facility in Butte and it is being reopened. He believed it to be open by the 1st of June. Bob McCarthy commented that BSB has regulations like most communities do that deal with all sorts of animal violations such as stray dogs, vicious dogs, barking dogs, and so forth. Butte has all sorts of regulations but does not seem to have as much enforcement. Bob McCarthy stated that Gabriel is probably aware of the problems that exist with Humane Society and the animal shelter. Bob McCarthy stated that Chairman Bob Worley is right and it is anticipated that the shelter is going to open shortly. Even now the stray dogs and so on are being held in a facility in Anaconda called Pintler Pets. Bob McCarthy stated to answer Gabriel's question, BSB does have a shelter and a place to keep animals. The problem is that nobody picked them up and thinks what is more significant is the fact that nobody picked the animals up that night and nobody responded. Bob McCarthy continued to state that he does not pretend to understand everything that went on there but BSB has Animal Control and animal wardens. The animals were not picked up and finally no one responded to a request for assistance from the Law Enforcement Department. Bob McCarthy continued to state that in answer to Gabriel's questions BSB does have a shelter and it will open shortly, hopefully it will be opened by the first of the month but at any degree whether it is or not there is a procedure where the animal warden takes animals into their care and places it in the shelter and that exists right now. The problem is simple that there was not any enforcement of regulations. Bob McCarthy stated that BSB has regulations all over the place; we have as much regulation as anyone

but don't have any enforcement here and that is the whole problem. Gabriel Loffet responded to Chairman Bob Worley and asked under whose jurisdiction does this fall? Gabriel stated that he was lost in the language earlier where it was said that the Law Enforcement Department was not in charge of this and it was the name of a different entity. Gabriel Loffet asked who should respond to a danger from a dog at 11:30 p.m.? Bob McCarthy replied that the police should.

Jim Keene introduced himself and represents House District 75 in Butte, which is on the east side of town. Jim Keene stated that he came to the Study Commission tonight to give his overview on a little bit of the government that Butte has had in his past six years of service in the legislature. Jim Keene stated that every year BSB within a ten-year period that he went to the Study Commission and thinks what happens sometimes with the Study Commission as they go through the process, is they are like an auditor. They look everything over, they discuss things and at the end of day, they are like the auditor. They have got to have something that is wrong. Jim Keene stated that is what ends up a lot of times in the Study Commissions. You can't just say hey, it is working good. You have to have something that needs to be changed. Jim Keene cautioned the Study Commission as they go along to be careful of that process that they just have to have something to have something. Jim Keene stated in his view as a legislature, this County and Deer Lodge County has saved itself millions upon millions of dollars in the State of Montana and you never hear about it. Jim Keene stated that he is here to tell about it. Jim Keene stated as they take a look at other counties, don't look at Jefferson County or Granite County or other small counties. They need to look at the larger counties of which Butte is one. Yellowstone County and Missoula County are what needs to be examined. Jim stated in his term as a legislature he can not tell how many times he sat back and felt extremely comfortable in saying, "hey it doesn't affect me I'm from BSB" because we have a government here, one government. Jim Keene stated pick up the Billings Gazette from the past two months and it will continue on. They are having a huge fight between the City and the County. Jim Keene stated they need to talk to other representatives. Jim Keene stated that every other large county has doughnut areas and that is all anyone hears in a session. You never hear doughnut areas, and it is asked what is a doughnut area? Jim Keene stated that is the city trying to annex county land and the fights on. The fight is on both sides, the City and the County. Who is picking up the tab? The taxpayer is in those counties. BSB does not have that problem so there is good news in the type of government we have. Jim Keene stated that BSB has an excellent form of government so as the Study Commission goes through those counties when they get to the larger counties, they need to ask how is the doughnut area, what is the litigation like, how much does it cost and they will find BSB is saving a ton of money. Jim Keene stated the other thing is BSB has consolidated offices. Jim Keene stated the Sheriff may not be performing in one area but BSB does not have the Sheriff fighting with City Police. There are not two administrations. Jim Keene stated those are big, huge issues, which never get discussed in this county. Jim Keene further mentioned that the other part of it is in the last Study Commissions they got down to hearing discussions about having to get rid of somebody or making a cut somewhere. Jim Keene stated one thing he always

hears about is BSB has to run more like business. Jim Keene stated that BSB is not a business it's a service. Jim stated that people are elected to serve and protect people and run different departments that serve and protect people. Jim Keene stated if we come in and the lights don't go on we call NorthWestern Energy. There is a big hole in the road and somebody has to fix it and that is the county. Jim Keene stated that those people are responsible for those different areas and in this country, he feels the most protected thing BSB has is elected officials. Jim Keene continued to state as the Study Commission gets to the discussion of a City Manager form of government, they will find if BSB gets a City Manager they will need to look at the history of other City Managers. They are not concerned with the citizens of Butte and they are not running for office. They don't have a commitment to the citizens who elected them. Somebody has hired them and they are good for a period of time and when the next bigger city which is always interviewing, and is going to pay more money, they are building a reputation to move on to bigger and better things. Your local elected official is here for the concerns of the people as some people have already served and can attest to running campaigns and listening to all the discussions in government. Jim wished for the Study Commission to understand how important elected officials are and that the citizens have a responsibility if it is their government to choose who they put in there and choose who they terminate. Jim Keene stated that when there is talk about hiring people, consolidating, leaving out elected officials or letting one person appoint, he gets very nervous. Jim Keene stated if they want one person to appoint everybody, elect a dictator and then that is what you would have. Elected officials compliment the government by protecting the citizens from the other elected officials. Shag Miller agreed. Shag mentioned that he worked on the consolidation movement two times. The first time it was put down and the second time it barely passed by 200 votes. It was the very best thing that would ever happen because Anaconda went down when they closed the underground mine. 1000 jobs were lost and Butte would have been broke. Shag Miller stated that there should be one exception to having an appointed official rather than elected and that is having an appointed paid professional sheriff. The ex-FBI agent of Belgrade has had a lot of luck with a guy who is head of the highway patrol. The county only had to pay \$10,000 more than what he was making with the highway patrol and it is working very well. Shag stated that he agreed with Jim. Shag stated if there was a paid-professional then salaries can be realigned where there is equity with the Chief Executive. Shag thought it would improve the law enforcement. Shag commented that Walsh is correct and that BSB is short six officers. Shag stated it takes a year to get an officer on the streets. Shag stated vacation and illnesses need to be accounted for and perhaps that necessity can be reduced to three. Jim Keene commented that the Sheriff is not doing well in Billings and to look at those issues. Jim commented that he favors elected officials. Jim stated that representation is what our form of government in this country is about. Jim Keene felt that BSB has the best government in the State of Montana. Ristene Hall stated that she agreed with Jim. Northey Tretheway agreed with Jim but also feels that part of the government process was the ability to let citizens review the government and that decision by the citizens was made for a reason. If there is something that can be done better, then that is what the Study Commission needs to look at. Jim Keene replied that instead of putting it in as one

package put them in so people could vote them up or down. The people will then have it how they want their government. The people want the government studied, have the Study Commission bring a recommendation forward and let the people decide. Jim Keene commented that he is very proud of the government in BSB and felt that the Study Commission would not need to go and totally reinvent the wheel. It just might need a new spoke or something. Wayne Harper asked Jim what he thought the impact would be in a Democratic community. Jim Keene responded that it is a choice of the people and they chose to have a non-partisan race. Jim continued to state that in the legislature he has a hard time voting against what the majority of people vote for. Does not have problem with non-partisan races.

Norma Wood stated that based on Jim's Keene's comment when you put your recommendations on a ballot it would be nice to have one line item per topic. Norma stated that she would hate to see on a ballot something that states, for example, do you accept the Study Commission's recommendations, yes or no. It should be broken down more.

Nick Sayatovic stated that the dog problem could have been solved if BSB had six more officers. Nick asked who is in charge of hiring the six more officers and why are we short to start with? Nick continued to state that it is probably a money problem but that is what is always heard. When some little kid gets attacked by some stray dog and ends up in intensive care then there is another money problem. As for hiring another person, he felt it was an exceptional method of choosing the Chief Executive. How can the Chief Executive do anything if he has to come in here and go head to head with the people that have been in this town, running this town forever without being able to change it like the governor's method. The governor gets to go in and choose his Department Head. Nick does not see why the Chief Executive should not be able to choose his. Bob Worley responded that Nick Sayatovic was talking about the language, "serving at the pleasure of". Nick Sayatovic responded that he does not care what language is if there is a problem, fix it.

Anita Wood believes that the form of government in BSB right now is more than adequate. The problems are not the form of government; the problems are budgetary. If this city is going to get ahead, the tax base needs to be enlarged. They should not approach things by trying to change the form of government but to attract businesses and build the tourism industry. BSB is missing that. Her family has visited many tourist areas that have gone to tourism to help support the community. For example, Leavenworth, Washington was a community that relied on the logging industry until the logging industry went under. In order to save the community they turned to tourism and developed a Bohemian type of community where everything looked like Swiss fair ladies and the people dressed in costume and they served the foods that you would find in the Alps. They emphasized winter sports and in the summer they emphasized the summer sports. They turned the community into a thriving tourist spot. Butte is a much larger tourist community with a richer history. The mining industry and the Chinese

Americans that are here all provide a rich foundation to attract tourism. One of the things BSB has done as a mistake is when you unearth old sub-terranean shops and stores, buildings of various sorts, you bury them. It would be so attractive to people from all over the country if you reinforce that stuff, build it and turned it into small businesses and advertise it nationally. You would bring in people from all over who want to see how people in the old west used to live, what they did to survive and Butte is not doing it. You could have people wandering uptown dressed as cowboys and miners, old west residents and open up restaurants, boutiques, and shops that sell Made in Montana items and really push it around the country. One of her family members was saying I bet if you went to the Smithsonian or National Geographic, you could get grants to help build up that subterranean city that used to exist. Archeologists would even be interested in it. BSB needs to do something to attract an industry to this town. Mining is not going to save Butte. Butte needs something more modern, something that will employ the youth of this city so they do not have to move away. Things that will entertain the youth of this city so they don't need to go out and get drunk and use Meth for their entertainment and rely on sex for their entertainment. Anita continued to state that Butte needs to provide more and we have resources here if we want to put them to use and most of those resources are the people of Butte. Shag Miller responded about the talk of a local sales tax in Montana and asked her how she felt about that. Anita stated that she is 100% against a local sales tax. Anita felt it was a boom to this community. She stated that we already have a depressed economy, and adding taxes is not going to help but to increase the tax base by bringing in businesses, by promoting tourism, by bringing people from around the country to help support the community, that will help build the tax base. It does not need to be put on the shoulders of the citizens who already live here by charging a sales tax. She came from a place where a sales tax started at 5% and is now 8.5%. You go to a restaurant and pay 8.5% over and above your check and then add a tip on top of that. Taxes just keep climbing and that is not the way to do it. Meg Sharp asked if she would be willing to give Meg her phone number so she could call her to be a volunteer for the tourist fair. Anita responded yes. Northey Tretheway commented that those were great ideas and did not know the role they would have in terms of the Study Commission but stated that they can make recommendations. Cindi Shaw replied that tomorrow she would be in costume all day and if she wanted to go uptown she might see someone from the 1890's. Cindi stated that we could all say by looking at the front page of the paper, that people are coming to town. They may not be from Butte but they see a vision. Cindi stated that she is really excited about what is happening uptown, they are finding that Butte promotes more tourism, they just have not come here yet. Cindi Shaw felt that Butte is making strides in regard to properties, there have been some issues with property and how to deal with county properties or properties that are worn down that affect the image of BSB. The Land Records Department is making some headway in presenting a more marketable mission. Cindi stated that one issue discussed is having a public relations speaker in the County Courthouse to just do public relations to pull everything together, marketing, advertising, the visitor center and so forth. Bring it all together as one unit and to work together for one common goal.

James Wood stated that what we need is someone who owns a marketing plan for BSB.

Dan Harrington thanked the Study Commission for the time they have put in and thought it was really outstanding that they have donated their time to do such a thing. Dan wanted to testify on a few issues that he has read in the newspaper and those issues are of course appointing a CEO. In the early-late 50's and 60's there was an election held before the new constitution which basically wanted to change the government, to have a unified government and that time, both times it was voted down. The reason it was voted down is because it did two things, it appointed all the officials and the second thing it did was that it was a non-partisan election. We have become non-partisan, to the vote of the people. Dan Harrington hoped that the Study Commission would give the people one more opportunity on this issue, to vote either up or down. Dan Harrington stated that one of the points he would like to make more than anything else is that he would hope they would stay with the elected officials, and an elected Chief Executive particularly. He thinks this is important. He knows that across the state that many places have changed their government after the 1972 constitution which allowed for the first time, local governments to change the form of government they had before that, you have the city and county government and the only thing in between was this one form of government that put in some years before and of that was voted down by the people. Dan mentioned in 1976 shortly after the passage of the constitution, one of the things that came up was they wanted to move in this direction. His thought was that everybody saw that this was a new form of government and of course the city-county charter was developed and many of the people that worked on this and they were asked, and he was chair of the Democratic Center Committee at that time, if they would support this change of government. They supported it on two issues: that people would remain elected by the people and it would remain a partisan government. Dan stated that was one of things that they did and they worked for that passage in 1976 when the government came into existence in 1977 with the change. Dan felt it has been outstanding, and that they have done really well with our type of government when he sees what goes on in the other counties across the state. We are a type of county that can adapt, we are not a big county and don't have many charter cities within the complex of the county. Some of the areas are a lot bigger and they have other areas and have real problems trying to unify into one form of government. Dan wanted to stress the point for the Study Commission to look at possibly putting this partisan politics back on and let the people have the vote on it. He did not think it would hurt to let the people recognize the fact that...because he has heard many people say that they wish they had gone back to that form. Dan hoped that the Study Commission would stay with elected officials. Dan felt it was important for the Study Commission to take this opportunity that occurs every ten years that they can study the type of government BSB has.

Norma Wood commented with respect to Dan Harrington BSB has a great government and she is neither Democrat nor Republican, she is a realist. You put something on a ballot and it comes from a Democratic Party but it is sound, she is going to vote that way, if it is Republican, she will vote that way. Norma stated that she does not like party lines

because we need to bring this city county together. Party lines separate people. If we believe someone can do the job, then we should vote for him/her regardless of party. Norma commented if she was a Democrat why should she vote for that person if she feels they cannot do the job or vice versa. She believes that a non-partisan government is the best and does not have to worry about which side she is going to be on except is it the right or the wrong, not for the whole election or term of service but for each individual issue. Party lines can cause a lot of problems however, if enough people want to put it back on ballot than the people should vote for it.

Dick Skates discussed the campaign to clean up Butte. Every year in April or May, it is mostly a volunteer to clean up a vacant lot, picking up litter along the highways and so forth. In his estimation, the blight and the slumminess of Butte is the personal property that people have in their own front yards of their homes and their commercial buildings, etc. There was a program a few years ago that he was involved in and it was Paint The Town. Service clubs and so forth got together and for needy and elderly citizens. The paint was usually donated and these groups would paint their houses and fix up their yards. Dick felt that has gone by the wayside. Dick stated that one can drive on Continental and see all the vacant lots and the grass growing out there, they never change when they do or don't pick up the litter. What is seen is how people treat their personal property. Maybe there is something in the citizens' of Butte's mentality that says you'll never change that. Dick stated that should not mean that citizens should at least try if we are going to have a better-looking town. Dick stated that Butte has one thing against it from way back when the mines were going full blast and everybody walked to worked and built their houses next to them and they did not care about having nice yards. The new areas of Butte that build big beautiful homes that have covenances and ordinances on them, then you come uptown and forget it. Butte needs to strive to have more volunteer groups like Paint The Town and stuff like that. During his 22 years as a banker they helped just about every charitable organization in town do fundraising. He personally worked nine years on the Big Brothers and Sisters program. 16 years he worked at the Mining Museum. As volunteers the Mining Museum had free admission and now one has to pay \$7.00 to get in. It has literally been destroyed through adverse volunteerism and so on. Dick did not know how anything could be done. Dick stated that Butte should have marketing programs for tourism. Dick stated that Butte used to have a marketing program for tourism. It was the Mining museum, the attractions around the pit, the mansion and things like that. Dick stated that his question is... and it is in newspaper about a guy being forced to clean up property and thought it stated that his property was just unsightly rather than being unhealthy. Is there a law that says if someone's property is unsightly the county could make he/she clean it up or does it have to be unhealthy? Bob Worley replied that would come from both standpoints. Bob stated that we do have a community enrichment ordinance in BSB that was passed about two years ago. Bob believed that was being administered through the Health Department and they write these people letters and there is a process in order to try to clean up these properties. Dick responded that he thinks the property is the main thing to beautify Butte.

Joyce Gulster stated that she keeps her property up the best she can. They decorated and did things and thinks it is one of the nicest houses on the on block. Joyce stated to go in agreement with Dicks comment. She saw where one of the cities in this country and she forgot which one but she thought at the time wow what an idea because what they do is use shame when they see a place that is really a mess that could be easily cleaned and just isn't. They put up sign that stated this place is in disrepair and shame on you. Joyce commented that shame still works and she is in favor of the government the way it is. The only thing she is unhappy about is primaries where you have to vote by parties. Joyce stated that BSB does not need more divisions; it needs more togetherness.

Dale White-Suggested that whatever is going to be done regarding any changes to the government, the main factor that the Study Commission needs to keep in mind at all times is accountability of people in the government. Whether they are elected or appointed whether they are hired or tenured, whatever they are. Everyone needs to accountable for his/her job and that has to come from the very bottom to the top. All he is asking when they do consider the government, what we have and now it seems to be working pretty good but just has to define the accountability a little better.

Brendan McDonough-Wanted to comment along with what Mr. Skates said. He knows BSB has the community enrichment department and thinks they are doing a great job but feels it is understaffed. He mentioned Dan Dennehey with the Health Department and John Vandaveer of Public Works have a lot on their plates. It seems as they send out letters to property owners. It goes through the legal process of having being served with papers and going through the whole entire abatement process. He thinks it has done a great job for Butte and thinks it has really improved our town over the last couple of years with what the council has done and with our Public Works and Health Department. He feels they are understaffed and was curious if they thought about a separate department or bolstering that department with the coordination of Public Works and the Health Department. Often times it seems that people buy property in Butte and use it for a tax ride off and then let property go to ruin. Brendan stated now that Butte is enforcing and moving forward with cleaning up our town he believes more business is attracted to Butte. It just seems with the legal process and all the other things that you have to do to do it correctly it just extends out the time period that BSB can enforce these. If BSB had more people focusing on more property owners he thinks they can get more properties in front of the council of commissioners for their vote and they could start the abatement process faster and would have more un-kept property than property on the county surplus roles. He wanted to encourage the Study Commission to think about the restructure of Community Decay/Enrichment.

Cindi Shaw thanked Brendan for bringing up that subject. Cindi stated that they felt Jed Hoopes could use some help and they might consider developing a department that is just designed for community enrichment.

Rebecca Wrenar discussed the dog issue. She finds that dogs are like children to people, and it would be beneficial to find the owners and require the dog to go through a training class. People who love their dogs would do this and knows that many people could not train their dogs on their own. The people who don't abide by this it might be reasonable to give them addresses of people who would be willing to train their dog and have a dog of their own and that would not cost the citizens of Butte anything. A city that would have better trained dogs and people who want dogs can have dogs. The people who don't want the burden of their dogs and find it too much of hassle to work with them could have a place to put them.

Gabriel Loffet stated that a lot of the problems he has seen in Butte really are not problems with Butte itself. There are a lot of problems with perception and he does recognize the efforts of those who have strived to change that but has not seen much change in that. He applauded those that have made Butte a better place to live but finds it fascinating that people who live here do not know what Butte is about. Gabriel mentioned that recently he and wife went to the Copper Mountain sports and recreation facility. His wife has lived in Butte for seven years and did not know it existed. He hears a lot of people in Butte say there is nothing to do in Butte, they are going to go to Missoula or Billings. Gabriel continued to comment, who in their right mind would want to go to Billings. He feels that Butte is so much more interesting than the surrounding communities. However, at same time within Butte, and he notices this a lot from working in tourism that people come to Butte and say what is here? There are head frames and our buildings are old. He recognized that business do advertise and applauds the people that have done the brochure on what there is to do in Butte. Gabriel asked if the city advertises, he knows that the businesses do and that we have recreation facilities and other things that people don't know about. He wondered if the people in Anaconda, Belgrade, and Whitehall know about the Copper Mountain Sports and Recreation facility. Gabriel believed that Butte has done wonderful things lately such as the walking trail, revamped parks and other improvement. Gabriel wondered if Butte would be interested in more marketing. If we want a better economy then we need to look at returns. Gabriel wondered what would happen if the city put a billboard in Las Vegas saying what there is to do in Butte. What efforts do we make as a community to do this rather than Joe's Pasty to get the word out because as Joe's Pasties I would not be interested in advertising the walking trail.

Bob Worley consolidated what has been studied as a commission and listening to all the people that have spoken to them over the last 26-28 weeks and appreciate all comments from the audience. Some of the comments are things that the Study Commission can do something about, some they cannot but can pass recommendations to the elected officials and council commissioners. Bob discussed some of topics discussed in meetings.

1. elect or appoint CEO
2. language at the pleasure of
3. land records dept. clarification-make separate department

4. complaint dept for citizens, commissioners spend more time working on real issues
5. use 12 part-time commissioners or a number of full-time commissioners
6. sheriff being appointed as director of fire services
7. should sheriff be a police officer or administrative person
8. changes in the preamble of the charter to promote economic development, bigger tax base
9. publication by the Finance and Budget dept. that would allow them to examine, or people would know where monies are spent
10. consolidation of County Superintendent of schools
11. auditor-incorporate office full reign of duties
12. antonymous boards, board that will oversee superfund issues
13. separation of water division from public works-feel it would have to be an advantage to the government and also to the Water Department before they would do that type of thing. The Water dept. large portion of BSB
14. Continue to maintain 12 commissioners or 8

Audience comments: John Wood would like to caution the issue of “at the pleasure of”. He worked at a large company and they brought in a CEO that was weak and about a dozen vice presidents decided that they were going to run their own division as if it were a company and it just about destroyed the company because there was no centralized control that could tell these Vice Presidents what to do. The only thing that saved that company is that one of the founders came back and took over the CEO. There are advantages to electing officials, there are also advantages to appointing officials and wanted to make sure that everyone thought about that.

Bob Worley commented that BSB has a flow chart that regulates government from the Chief Executive on down. Bob asked if John Wood was aware of that and he responded yes.

Joyce Gulster- made a short comment about Public Works and the Water Department. Joyce asked don't talk to each other anyway because no sooner does the road get fixed up and then the water company comes in and puts in a new line. Joyce asked how many times have they just paved something and then they go and tear it all up again. Doesn't anyone meld these things together? Joyce commented that she is just a common citizen and she figured it out.

Norma Wood meant non-partisan not bi-partisan when she spoke previously. Norma stated in regard to Joyce's comment and the Water Company, this is her second year here that she comes home from work and cooks dinner and goes to run the laundry or drink a glass of water and has mud coming out of the tap. She called them and is told that it was posted in MT Standard. Norma responded that she does not get the Montana Standard and does not have time to listen to the radio or watch TV and because she does not partake in all these media sources she gets to drink mud for several days until she can

afford to buy new filters and empty her water tanks. They need to find a way of letting people know. In an emergency situation, that is one thing, they should let you know as soon as possible but they do this every year. Norma asked can't they send out notice with the water bills and say on this date you should do the following specifying what needs to be done?

Ristene Hall responded to Joyce that when Paul Babb spoke to them previously, he was working on that problem and assured that he would make sure that everyone affected would be notified.

Bob Worley-asked if anyone else would like to make comments.
Shag thanked the audience for their response and input. He appreciated the comments.
Bob Worley also thanked everyone for his or her attendance.

Adjourn: Bob Worley entertained a motion to adjourn. Wayne Harper made a motion to adjourn and Dave Palmer seconded.

Meeting adjourned at approximately 8:20 p.m.